

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JAMES JOHNSON, III,	:	Case No. 1:13-cv-921
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	
vs.	:	Magistrate Judge Karen L. Litkovitz
	:	
FAISAL AHMED, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**DECISION AND ENTRY ADOPTING
THE REPORT AND RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE (Doc. 19)**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio, Western Division, to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on June 17, 2014, submitted a Report and Recommendation. (Doc. 19). Plaintiff did not file objections.

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the relevant filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendation should be and is hereby adopted in its entirety.

Accordingly:

1. The Report and Recommendation (Doc. 19) is hereby **ADOPTED**;

2. Defendant's motion to dismiss the Complaint for failure to state a claim for relief (Doc. 8) is **GRANTED**;
3. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that for the reasons stated in the Report and Recommendation (Doc. 19), an appeal of any Order adopting it would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 1997); and
4. This matter shall proceed against Defendants Rosie Clagg and Dr. Faisal Ahmed.

IT IS SO ORDERED.

Date: 7/11/14

/s/ Timothy S. Black
Timothy S. Black
United States District Judge